

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION**

STATE OF TEXAS, *et al.*,

Plaintiffs,

v.

UNITED STATES OF AMERICA, *et al.*,

Defendants,

KARLA PEREZ, *et al.*;
STATE OF NEW JERSEY,

Defendants-Intervenors.

Case No. 1:18-cv-00068

**UNOPPOSED MOTION OF 21 STATES AND THE DISTRICT OF COLUMBIA
FOR LEAVE TO FILE A MEMORANDUM OF LAW AS AMICI CURIAE**

The States of California, New York, Arizona, Colorado, Connecticut, Delaware, Hawaii, Illinois, Maine, Maryland, Massachusetts, Michigan, Minnesota, Nevada, New Mexico, North Carolina, Oregon, Pennsylvania, Rhode Island, Washington, Wisconsin, and the District of Columbia (the States) respectfully request leave to file the attached memorandum of law as amici curiae in opposition to plaintiffs’ motion for summary judgment and in support of defendants’ cross-motions for summary judgment. All parties have consented to our request.

The States—whose residents include hundreds of thousands of persons who have received deferred action under the Deferred Action for Childhood Arrivals (DACA) policy—have a compelling interest in the outcome of this challenge to the lawfulness of DACA. An order granting plaintiffs’ motion and vacating the DACA Final Rule or enjoining the operation of the DACA policy would inflict serious harms upon the amici States’ institutions, budgets, residents, and economies. The proposed memorandum of law addresses the amici States’ unique perspective and may aid the Court by highlighting facts and arguments not addressed in detail by the parties.

CONCLUSION

The States respectfully request that this Court grant this motion for leave to file the attached memorandum of law as amici curiae.

Dated: March 9, 2023

Respectfully submitted,

LETITIA JAMES
Attorney General of New York
BARBARA D. UNDERWOOD
Solicitor General
ESTER MURDUKHAYEVA
Deputy Solicitor General
GRACE X. ZHOU
Assistant Solicitor General

28 Liberty Street
New York, NY 10005
(212) 416-6160
grace.zhou@ag.ny.gov

ROB BONTA
Attorney General of California
MICHAEL J. MONGAN
Solicitor General
MICHAEL L. NEWMAN
Senior Assistant Attorney General
JOSHUA PATASHNIK
Deputy Solicitor General
JAMES F. ZAHRADKA II
Supervising Deputy Attorney General

By: /s/Joshua Patashnik
JOSHUA PATASHNIK
California Bar No. 295120
Application pending for admission *pro hac vice*
to the Southern District of Texas

600 West Broadway, Suite 1800
San Diego, CA 92101
(619) 738-9628
josh.patashnik@doj.ca.gov

(Counsel listing continues on next page)

KRISTIN K. MAYES
Attorney General
Arizona

KEITH ELLISON
Attorney General
Minnesota

PHILIP J. WEISER
Attorney General
Colorado

AARON D. FORD
Attorney General
Nevada

WILLIAM TONG
Attorney General
Connecticut

RAÚL TORREZ
Attorney General
New Mexico

KATHLEEN JENNINGS
Attorney General
Delaware

JOSHUA H. STEIN
Attorney General
North Carolina

BRIAN L. SCHWALB
Attorney General
District of Columbia

ELLEN F. ROSENBLUM
Attorney General
Oregon

ANNE E. LOPEZ
Attorney General
Hawaii

MICHELLE A. HENRY
Acting Attorney General
Pennsylvania

KWAME RAOUL
Attorney General
Illinois

PETER F. NERONHA
Attorney General
Rhode Island

AARON M. FREY
Attorney General
Maine

ROBERT W. FERGUSON
Attorney General
Washington

ANTHONY G. BROWN
Attorney General
Maryland

JOSHUA L. KAUL
Attorney General
Wisconsin

ANDREA JOY CAMPBELL
Attorney General
Massachusetts

DANA NESSEL
Attorney General
Michigan

CERTIFICATE OF CONFERENCE

I certify that on March 6, 7, and 8, 2023, I conferred by email with Ryan Walters of the Texas Attorney General’s Office, representing plaintiffs; James Walker of the U.S. Department of Justice, representing the federal defendants; Mayur Saxena of the New Jersey Attorney General’s Office representing defendant-intervenor the State of New Jersey; and Nina Perales of the Mexican American Legal Defense & Educational Fund representing defendant-intervenors Elizabeth Diaz et al. All parties consent to this motion.

/s/ Joshua Patashnik
JOSHUA PATASHNIK

CERTIFICATE OF SERVICE

I hereby certify that on this 9th day of March, 2023, I electronically filed the foregoing motion—together with the accompanying proposed order and the proffered amicus curiae memorandum of law—with the Clerk using the CM/ECF system, which I understand to have served the parties’ counsel, who are registered as CM/ECF users.

/s/ Joshua Patashnik
JOSHUA PATASHNIK

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**[PROPOSED] ORDER GRANTING MOTION OF 21 STATES AND THE
DISTRICT OF COLUMBIA FOR LEAVE TO FILE A MEMORANDUM OF LAW
AS AMICI CURIAE**

The Motion of 21 States and the District of Columbia for leave to file a memorandum of law as amici curiae is hereby **GRANTED**.

IT IS SO ORDERED.

March __, 2023

Hon. Andrew S. Hanen
United States District Judge